

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JASON SHRADER, #245505,)
Plaintiff,)
v.)) CASE NO. 2:21-CV-138-WHA-JTA
CLIFF WALKER, et al,)
Defendants.)

JASON SHRADER, #245505,)
Plaintiff,)
v.)) CASE NO. 2:21-CV-139-WHA-JTA
CHARLES GRADDICK et al,)
Defendants.)

ORDER

On February 26, 2021, the Magistrate Judge entered a Recommendation (Doc. #7) to which Plaintiff filed objections (Doc. 19). After an independent review of the complaints and the objections filed by Plaintiff and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Plaintiff's claims for monetary damages from defendants Cliff Walker, Dwayne Spurlock, Charles Graddick and Leigh Gwathney for any decisions related to parole consideration or release on parole are DISMISSED with prejudice in accordance with 28 U.S.C. § 1915(e)(2)(B)(iii).

3. Plaintiff's claims alleging violations of his constitutional rights with respect to the setting of a specific date for parole consideration are DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

4. Plaintiff's claims alleging violations of his constitutional rights regarding release on parole are DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) to the rights of Plaintiff to seek relief in an appropriate cause of action.

5. This case be DISMISSED prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).

A separate Final Judgment will be entered.

DONE this 11th day of May, 2021.

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE